

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 361

Driver Licenses

SPONSOR(S): Mayfield

TIED BILLS:

IDEN./SIM. BILLS: SB 858

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		Brown	Miller
2)	Economic Development & Community Affairs Policy Council			
3)				
4)				
5)				

SUMMARY ANALYSIS

This bill requires that original and renewal applications for a driver’s license printed by the Department of Highway Safety and Motor Vehicles (DHSMV) include an option to make a voluntary contribution of \$1 to the Florida Heart Research Institute (FHRI). FHRI has previously sought and received legislative approval for a specialty license plate¹ and voluntary license-tag renewal check-off.² FHRI was founded in 1944 and was the first heart hospital and research center in the world. FHRI functions as both a self-contained cardiovascular research center and as a collaborator and facilitator of research.

DHSMV has certified that FHRI has complied with s. 322.081, F.S., regarding requests to establish a voluntary check-off, by submitting its letter of request, \$10,000 application fee, and approved short- and long-term marketing plans.

The bill becomes effective July 1, 2009.

¹ The “Stop Heart Disease” plate is authorized by s. 320.08056(4)(qq), F.S., and 320.08058(33), F.S.

² Section 320.02(15)(d), F.S.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0361.RBP.doc

DATE: 3/2/2009

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 322.08(8), F.S., provides driver license applicants with an opportunity to make voluntary contributions to six organizations or causes when applying for a license:

- Florida Organ and Tissue Donor Education and Procurement Trust Fund (\$1),
- Florida Council of the Blind (\$1),
- Hearing Research Institute, Inc. (\$2),
- Juvenile Diabetes Foundation International (\$1),
- Children's Hearing Help Fund (\$1), and
- Family First (\$1).

Section 322.18(9), F.S., provides that renewal applications must contain an opportunity to contribute \$1 to Prevent Blindness Florida, and/or \$1 to Family First.

Voluntary check-off contributions on driver's license applications are governed by s. 322.081, F.S. Florida Statutes require organizations to submit to DHSMV a request for the particular contribution being sought, an application fee not to exceed \$10,000, a short-term and long-term marketing plan, and an analysis outlining anticipated revenues and planned expenditures of such revenues. DHSMV must receive this information at least 90 days before convening of the next regular session. In addition, the law specifically prohibits the use of state funds to pay the application fee.

Proposed Change

HB 361 amends s. 322.08, F.S., and s. 322.18, F.S., to include voluntary donations to the FHRI on drivers' license applications and renewal applications, respectively. DHSMV has certified that FHRI has complied with s. 322.081, F.S. by timely submitting its letter of request, \$10,000 application fee, and approved short- and long-term marketing plans.³

³ Letter from Electra Theodorides-Bustle, Executive Director, Department of Highway Safety and Motor Vehicles, to the Roads, Bridges, and Ports Policy Committee, dated Jan. 28, 2009. This letter is on file with the committee.

The FHRI was founded in 1944 and was the first heart hospital and research center in the world. Formerly known as the Miami Heart Research Institute, the FHRI states that it:

functions as both a self-contained cardiovascular research center and as a collaborator and facilitator of research. Current research by FHRI led the medical community to recognize the role of neurohormones in the diagnosis and treatment of congestive heart failure. FHRI has also created the first of its kind clinical cardiac genetics laboratory. The highly specialized research laboratories supplied by our partners ensures that FHRI research dollars are spent doing research rather than funding capital equipment....

Being an independent, nonprofit organization allows the Research Institute to be unbiased and flexible and pursue projects swiftly. All projects are evaluated and continuously reviewed by our Scientific Advisory Board, an independent committee of highly respected physicians who are internationally recognized in the field of cardiovascular research assuring that our projects are scientifically and fundamentally sound.⁴

B. SECTION DIRECTORY:

Section 1 Amends s. 322.08, F.S., requiring driver license applications to contain a voluntary check-off for the FHRI.

Section 2 Amends s. 322.18, F.S., requiring renewal and extension applications to contain a voluntary check-off to the FHRI.

Section 3 Provides an Effective Date of July 1, 2009.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
None.

2. Expenditures:
This bill will require programming modifications to the DHSMV's Driver License and Motor Vehicle Information Systems, the cost of which will be paid from the \$10,000 application fee submitted by the FHRI.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
None.

2. Expenditures:
None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Motorists who decide to donate would pay an additional dollar for vehicle registrations and driver's licenses.

⁴ Information taken from the FHRI website at <http://www.floridaheart.org/AboutUs/history.html>. Last accessed Feb. 11, 2009.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES